

Management Board minutes

Monday 12 February 2018

Members and other attendees present

Paul Arnold	Deputy Chief Executive Officer
Emma Bate	General Legal Counsel
Ailsa Beaton	Non-executive Director
David Cooke	Non-executive Director
James Dipple-Johnstone	Deputy Commissioner (Operations)
Elizabeth Denham	Information Commissioner (chair)
Jane McCall	Non-executive Director
Steve Wood	Deputy Commissioner (Policy)
Nicola Wood	Non-executive Director
Amanda Williams	Private Secretary to the Information Commissioner
Peter Bloomfield	Senior Corporate Governance Manager (secretariat)
Caroline Robinson	Corporate Governance Officer (secretariat)

1. Introductions and apologies

- 1.1. There were no introductions or apologies.

2. Declaration of interests

- 2.1. There were no declarations of interest.

3. Matters arising from the previous meeting

- 3.1. The minutes were confirmed as accurate. There were no outstanding actions.

4. Commissioner's introduction

- 4.1. The Commissioner highlighted the high workload for all ICO staff at present with the countdown to GDPR on 25th May getting close. In particular the ICO was developing much new guidance on GDPR including sector specific guidance in some areas. The ICO was also leading on and inputting into Article 29 Working Group guidance on GDPR.
- 4.2. Additionally, the ICO was working closely with the DCMS and wider government on the Data Protection Bill as it moved through Parliament. There were issues outstanding which the office was taking forward.
- 4.3. The ICO had also introduced a data breach hotline and an SME helpline; had commissioned four pieces of research under its new grants programme; was planning for the new fee structure from 25 May; and was taking forward major investigations.
- 4.4. James Dipple-Johnstone updated the Board on its responsibilities under NIS as a competent authority. Funding was available and implementation work was ongoing.
- 4.5. Paul Arnold updated the Board following the removal of the ICO website from service on 11 February.

Action point: Paul Arnold to report back to Audit Committee on any lessons learnt.

5. Discussion items

Technology strategy

- 5.1. Steve Wood introduced the draft Technology Strategy. It set out eight goals supported by the identification of three priority areas for the work of the office over 2018/19. The strategy would be supported by a new "cyber" goal in the Information Rights Strategic Plan and would be taken forward by the new Head of Technology.
- 5.2. To provide context a paper entitled "Risks and opportunities for information rights arising from technology" was also tabled. The Board discussed ways in which the information in this paper could be disseminated more widely.

Action point: Steve Wood to consider how best to disseminate information in the paper "Risks and opportunities for information rights arising from technology", by the time of the May Management Board.

Action point: Steve Wood to expand the section detailing sandboxes in the supporting paper “Risks and opportunities for information rights arising from technology”.

- 5.3. In respect of the ICO itself making better use of technology, work in this area was detailed in the Resource and Infrastructure Strategy.
- 5.4. The Board supported the new Technology Strategy which would be finalised and published shortly.

Budget 2018/19

- 5.5. Paul Arnold introduced a draft budget for 2018/19. In developing the budget account had been taken of uncertainty over pay and staff numbers and the impact of the new funding scheme for data protection work.

Action point: Paul Arnold to consider amendments to the budget and to finalise it by the 31 March.

Funding model

- 5.6. Paul Arnold provided a brief update on the new funding model. The expectation was that the SI detailing the model was to be laid on 20 February and the ICO guidance would be launched the same day.

Action point: Paul Arnold to provide a copy of the ICO guidance on the new fee system to the Non-executive Directors when it is published.

Post Brexit planning

- 5.7. There was discussion as to the possible role of the ICO and the shape of data protection legislation after the UK had left the EU.

6. Risk and opportunity management

- 6.1. Paul Arnold introduced the risk register, explaining that the register and risk assessment were increasingly being used to help manage the work of the ICO.
- 6.2. This version of the register had come to the recent Audit Committee and it represented the impact of decisions on the pay case and the progress of the Data Protection Bill through Parliament. The highest priority currently was the opportunity for the ICO to make real changes to its culture.
- 6.3. There was discussion on the wording of risks in the areas of workforce development and the capacity to increase staff numbers and train new staff.

Paul Arnold to review risks in the area of workforce development and to update the register accordingly by 20 April.

7. Performance against the Information Rights Strategic Plan and the Resource and Infrastructure Strategy

- 7.1. The quarterly report on performance against the Information Rights Strategic Plan was presented for discussion. The paper highlighted the broad range of work being done at the ICO. James Dipple-Johnstone explained how the Operations Directorate was able to move resources to meet changing priorities.
- 7.2. There was discussion as to the best way of showing performance with the need to better highlight key successes identified, and the inclusion of information on speeches, blogs, engagement and Parliamentary involvement. Executive members of the Board could also speak to the work of their Directorates.
- 7.3. Paul Arnold also introduced a quarterly report on performance of the DCEO Directorate which included the setting up of the SME helpline which had received calls from 10,000 people.

8. Finance

- 8.1. Paul Arnold advised that ICO notification fee income was 7% up on last year.
- 8.2. There had been an advance from the DCMS to allow the ICO to prepare for GDPR implementation and DCMS had also provided financial cover for work to re-furbish the new accommodation.

9. Any other business

- 9.1. It was confirmed that if Non-executive Directors received enquiries about information rights issues these could be passed to the new Group Manager Private Office once they were in post, and in the meantime to Paul Arnold.
- 9.2. Information on the pay case was available on the ICO web site.
- 9.3. The Data Protection Practitioners' Conference was on 9 April in Manchester.